IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1538 OF 2005

Sanjay Nagnath Khatake ... Applicant

versus

The State of Maharashtra ... Respondent

...

Mr.V.V. Purwant for Mr. P.B.Kulkarni, for the Applicant.

Ms.P.H. Kantharia, for the Respondent.

...

CORAM : A.M.KHANWILKAR,J.

7th March 2005

P.C.:

. Heard Counsel for the parties. I see no reason to depart from the conclusion reached by the lower Court in rejecting the bail application of the present Applicant. The offence is serious one. At this stage, the School Leaving Certificate will have to be accepted as it is, which indicates that the girl was minor below 16

years of age at the time of the incident. In that view of the matter, the argument that the girl was consenting party will be of no avail. Accordingly, as there is ample evidence to indicate complicity of the Applicant in the commission of the offence, not a case for bail. Hence, rejected.

. As application for bail is rejected, hearing of the trial is expedited. Sessions Judge, Solapur is directed to assign the case to the Fast Track Court, if not already done, to ensure early disposal of the trial. The trial Court will decide the case on its own merits in accordance with law. Application disposed of.

(A.M.KHANWILKAR,J.)